

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
March 18, 2005

The Domestic Relations Committee met at the Indiana Judicial Center in Indianapolis, Indiana on Friday, March 18, 2005 from 10:30 a.m. – 3:30 p.m.

1. Members present. David C. Chapleau, Thomas J. Felts, Mary Margaret Lloyd, Roderick D. McGillivray, Robyn L. Moberly, Nanette Raduenz, and Michael P. Scopelitis, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Judge James Payne, Director, Department of Child Services, and Wendy Yerkes, Director, Bureau of Child Support, Department of Child Services also attended the meeting.
4. Minutes approved. The minutes of the February 18, 2005 meeting were approved.
5. Domestic Relations Benchbook. Committee members reviewed Judge Ault's materials on Final Hearings.
6. Domestic Relations ADR report. Jeffrey Bercovitz distributed a copy of the 2004 Domestic Relations ADR report and a "Starter Kit" for a Domestic Relations ADR program to committee members.
7. Presentation by Judge Payne. Judge Payne reported Indiana might lose \$25 million dollars in Title IV-D monies because we do not have a single disbursement unit for child collection. Indiana does not comply with an exemption granted by the federal government permitting local clerks to collect some garnishment orders. He explained Indiana does collect garnishment order for employers of over 50 persons at the state level. He stated Indiana must change its law to require the single disbursement unit to collect all garnishment ordered from employers. He said walk-in cash payments from support obligors, change of addresses, and other matters will continue to be administered at the local level by the Clerk's office.
Judge Payne asked the committee for support for use of a form that permits immediate income withholding with monies sent only to Indiana's single disbursement unit. Wendy Yerkes distributed a copy of the withholding order used by Title IV-D offices. Judge Payne agreed to submit a draft immediate income withholding order for the committee's use. The committee agreed to revise the form at its next meeting.
8. Other.
 - a. Judge Felts distributed an agenda for the Cooperative Family Law Training for Legal & Mental Health Professionals on March 18, 2005 in Allen County.
 - b. Jeff Bercovitz distributed a comment from Allen Eichelberger about Indiana's Child Support Guidelines.

9. Next meeting.

- a. Members of the committee agreed to finish review of the Final Hearing section and begin work on Property Division by Judge Scopelitis.
- b. Committee members agreed to prepare an immediate wage withholding order at their next meeting and submit orders used by courts for consideration.
- c. Members of the committee agreed to invite Lindsey Holloway to discuss the child support calculator and its use for six or more children and when more than one PSEW is needed because two children are in college.
- d. Committee members agreed to meet again on the following dates: April 15, May 20, July 15, August 19, and October 21, 2005 from 10:30 to 4:00 p.m. at the Indiana Judicial Center. There will be no June or September meeting. The November meeting will be held November 17-18, in conjunction with the Domestic Relations workshop.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law